

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF OF MICHIGAN
SOUTHERN DIVISION OF MICHIGAN**

In Re:
JEFFREY DAVID HURLEY
LYN MARIE HURLEY
5378 WILSON ROAD
COLUMBIAVILLE, MI 48421

Chapter 13 Proceeding

Case No.: 10-35686-DOF
Judge: DANIEL S. OPPERMAN

Last four digits of Social Security or
Individual Tax-Payer Identification (ITIN)
No(s) (if any): XXX-XX-1401

Notice Of Chapter 13 Trustee's Motion To Dismiss

The Chapter 13 Trustee has filed papers with the Court to dismiss this case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney if you have one in this bankruptcy case. (If you do not have an attorney you may wish to consult one.)

If you do not want the Court to **DISMISS THIS CHAPTER 13 CASE** or if you want the Court to consider your views on the motion **within 14 days**, you or your attorney must:

1. File with the Court a written response or an answer explaining your position at:¹

United States Bankruptcy Court
226 West Second Street
Flint, MI 48502

If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also mail a copy to:

Carl L. Bekofske
Standing Chapter 13 Trustee
400 N. Saginaw St. Ste 331
Flint, MI 48502

2. If a response or answer is timely filed and served, the court will schedule a hearing on the matter and you will be notified as to the time and date of the hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: 4/25/2012

/s/ Carl L. Bekofske
Carl L. Bekofske
Standing Chapter 13 Trustee
400 N. Saginaw St. Ste 331
Flint, MI 48502
(810) 238-4675
ECF@flint13.com
P-10645

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MOTION TO DISMISS FOR FAILURE TO MAKE PLAN PAYMENTS

The Standing Chapter 13 Trustee moves to DISMISS this Chapter 13 matter for the following reasons:

1. This chapter 13 matter was filed on October 25, 2010.
2. The Debtor(s) have failed to make regular payments as required by 11 U.S.C. Section 1326.
3. A default in payments has occurred, partial payments have been received but payments are delinquent; the last payment was recieved on 03/27/2012.
4. In response to this motion the Trustee requests the Debtor reply to the following:
 - a. Reason for the default in payments.
 - b. How the delinquency will be corrected.
 - c. When the delinquency will be correct.

Wherefore, the Chapter 13 Trustee asks this Honorable Court to dismiss this matter and asks that the Trustee be allowed a reasonable time period to submit a final report of receipts and disbursements in this matter, and asks for further relief deemed just by this Court.

Date: 4/25/2012

/s/ Carl L. Bekofske
Carl L. Bekofske
Standing Chapter 13 Trustee
400 N. Saginaw St. Ste 331
Flint, MI 48502
(810) 238-4675
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Order On Trustee's Motion To Dismiss

On the motion of the Trustee and the parties having been served and no response having been received on the Trustee's Motion to Dismiss, and the Court being advised:

IT IS HEREBY ORDERED that this Chapter 13 matter shall be and hereby is dismissed.

"Proposed Order"

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Certificate of Service

I hereby certify that on 4/25/2012 I served the following paper:

Notice of Chapter 13 Trustee's Motion to Dismiss For Failure to Make Plan Payments, Motion to Dismiss and Proposed Order on Trustee's Motion to Dismiss.

either electronically or by depositing with the United States Postal Service the Paper(s) to the following:

JEFFREY DAVID HURLEY
LYN MARIE HURLEY
5378 WILSON ROAD
COLUMBIAVILLE, MI 48421

And the following parties were served by electronic mail notice (ECF System):

DAVID W. BROWN, Attorney for Debtor at

/s/ STEVE ROBINSON
Chapter 13 Trustee
400 N. Saginaw St.
Flint, MI 48502
(810) 238-4675